

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Patent Application

Inventor: Doree Duncan Seligmann

Serial No.: 10/816511

Conf. No.: 8627

Filing Date: 04/01/2004

Art Unit: 2617

Examiner: Sharad K. Rampuria

Docket No.: 630-067US

Title: Location-based command execution for mobile telecommunications terminals

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

Respectfully,
Doree Duncan Seligmann

By **/David M. Lazoff/**
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Dear Sir:

PRE-APPEAL BRIEF REMARKS

Claims 1-3, 6, 8, 9, 14-22, 36-44, and 64-75 are pending, have been finally rejected, and are being appealed.

Independent claims 1, 14, 36, 64, and 71 were rejected under 35 U.S.C. 102(e) as being anticipated by N. J. Beamish et al., U.S. Patent 6,694,143, (hereinafter "Beamish").

The applicants respectfully submit that the remarks filed on 28 September 2009 distinguishing the claims from the cited references are correct and that the Final Rejection is incorrect.

The applicants' arguments are summarized here for the reader's convenience.

35 U.S.C. 102 Rejection of Independent Claims 1, 14, 36, 64, and 71

Independent claim 1 recites:

<p>1. A method comprising:</p> <p>receiving a user input at a mobile telecommunications terminal, wherein <i>said user input is for executing a command that reads the value of a datum</i>; and</p> <p>determining whether to execute said command based on the geo-location of said mobile telecommunications terminal <i>and on said value</i>.</p> <p><i>(emphasis supplied)</i></p>

Nowhere does Beamish teach or suggest, alone or in combination with the other references, what claim 1 recites – namely receiving from the user of a mobile terminal a command that reads the value of a datum (e.g., John Smith’s account balance, etc.), and determining whether to execute the command based on the terminal’s geo-location and on the datum’s value. The present invention as recited in claim 1 is advantageous in that it can be used, for example, to prevent a user from accessing John Smith’s account balance from his or her mobile terminal unless the terminal is located inside the bank and the account balance is less than one million dollars.

Beamish teaches something entirely different – a local wireless communication system infrastructure that sends commands to terminals, such as a command that switches the terminal from ringing mode to vibrator mode, a command that powers down the terminal, and so forth. Because terminals will receive such commands only when they are within range of the local wireless communication system infrastructure (e.g., inside a concert hall, etc.), Beamish does in fact teach a terminal whose behavior is dependent on geo-location. However, Beamish mentions nothing about the user of a terminal inputting a command to read a datum – let alone determining whether to execute such a command based on the datum’s value.

For this reason, the applicant respectfully submits that the rejection of claim 1 is traversed.

Independent claim 14 recites:

14. A method comprising:
receiving a user input at a mobile telecommunications terminal,
wherein said user input is for requesting access to content; and
determining a *version of said content* to access based on the geo-
location of said mobile telecommunications terminal.
(*emphasis supplied*)

Nowhere does Beamish teach or suggest, alone or in combination with the other references, what claim 14 recites – namely receiving a user request at a mobile terminal to access content, and determining what version of the content to transmit to the terminal based on the terminal’s geo-location. The present invention is advantageous in that it can be used, for example, to provide a user with an edited version of a video clip when the user requests access to the video clip while in a church, and an unedited version of the video clip when the user requests access to the video clip while at home. Beamish, in contrast, does not mention anything about versions of content anywhere in the patent.

For this reason, the applicant respectfully submits that the rejection of claim 14 is traversed.

Independent claim 36 recites:

36. A method comprising:
transmitting from a mobile telecommunications terminal a request to access remote content; and
receiving at said mobile telecommunications terminal *a version of said remote content* that is based on the geo-location of said mobile telecommunications terminal.
(emphasis supplied)

For the same reason as for claim 14, the applicant respectfully submits that the rejection of claim 36 is traversed.

Independent claim 64 recites:

64. A method comprising:
receiving a user input at a mobile telecommunications terminal, wherein said user input is for *executing a command that updates the value of a datum*; and
determining whether to execute said command based on the geo-location of said mobile telecommunications terminal *and on said value prior to updating*.
(emphasis supplied)

For the same reason as for claim 1, the applicant respectfully submits that the rejection of claim 64 is traversed.

Independent claim 71 recites:

71. A method comprising:
receiving a user input at a mobile telecommunications terminal, wherein said user input is for *executing a command that reads the value of a remote datum*; and
determining whether to execute said command based on the geo-location of said mobile telecommunications terminal *and on the geo-location at which said remote datum is stored*.
(emphasis supplied)

Nowhere does Beamish teach or suggest, alone or in combination with the other references, what claim 71 recites – namely receiving from the user of a mobile terminal a command that reads the value of a datum that is stored remotely, and determining whether to execute the command based on the terminal's geo-location and on the geo-location at

which the remote datum is stored. The present invention is advantageous in that it can be used, for example, to allow an employee at the San Francisco branch of XYZ Corp. to access data stored at the XYZ consumer division branch in New York, but to prevent the user from accessing any data stored at the XYZ defense systems division in Virginia. Beamish mentions nothing about the user of a terminal inputting a command to read a remote datum – let alone determining whether to execute such a command based on the geo-location at which the remote datum is stored.

For these reasons, the applicant respectfully submits that the rejection of claim 71 is traversed.

Respectfully,
Doree Duncan Seligmann

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